

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Elphan Preston,

Plaintiff,

v.

Case No. 2:15-cv-135

Carolyn W. Colvin,
Acting Commissioner of
Social Security,

Defendant.

ORDER

This matter is before the court for consideration of the August 3, 2015, report and recommendation of the United States magistrate judge to whom this case was referred pursuant to 28 U.S.C. §636(b). The magistrate judge recommended, in light of the joint stipulation of the parties (Doc. 14), that this case be remanded for further administrative proceedings.

The report and recommendation specifically advised the parties that failure to object to the report and recommendation within fourteen days of the filing of the report "will result in a waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court." Doc. 15, p. 1. The time for filing such objections has expired, and no objections have been filed.

In light of the joint stipulation of the parties, the court adopts and affirms the report and recommendation (Doc. 15). Pursuant to Sentence 4 of 42 U.S.C. §405(g), the decision of the Commissioner is reversed, the non-disability finding of the Commissioner is vacated, and this action is hereby remanded to the Commissioner for further administrative proceedings. The clerk is directed to enter a final judgment in this case.

It is so ordered.

Date: August 24, 2015

s/James L. Graham
James L. Graham
United States District Judge